

# DISABLED PERSONS PROTECTION COMMISSION

## Commissioners' Meeting Minutes

### September 7, 2017

Commissioners Present: Honorable James Brett, Yndia Lorick-Wilmot Ph.D. and Maurice Medoff

Staff Present: Nancy A. Alterio, Executive Director, Emil DeRiggi, Deputy Executive Director, Julie Westwater, DPPC General Counsel and Jennifer Edwards-Hawkins, Program Coordinator

Minutes Recorded By: Jennifer Edwards-Hawkins

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Handouts – The following materials were distributed to the Commissioners:

- Commissioners' Agenda of September 8, 2017
- Commissioners' Meeting Minutes of June 28, 2017
- Budget Summary and Narrative Report June 2017 Year End
- Budget Summary and Narrative Report August 2017
- DPPC Written Testimony re. 19C Amendment and Financial Exploitation – H.1958, S.52 and S.76
- DPPC Written Testimony on Registry Bill – H.80, S.64 and S.69
- Abuse Reports FY Comparison
- DPPC FY2018 Spending Plan Narrative
- DPPC FY2018 Budget Recommendations
- DPPC Proposed ACL Organizational Chart
- DPPC SARU Organizational Chart
- Curriculum Vitae – SARU Seven Hires
- ACL Grant Application Packet
- Hotline Activity Report – June 2017 and August 2017
- Oversight Activity Report – June 2017 and August 2017
- Legal Activity Report – June 2017 and August 2017
- DPPC Quarterly Report – April-May- June 2017

The Honorable Chairperson Brett called the meeting to order at 4:30 p.m.

1. Approval of Minutes of Meeting of June 28, 2017

**MOTION:** To accept minutes of June 28, 2017 as received motioned by Chairman Brett and seconded by Commissioner Medoff

**VOTE:** Unanimous to accept the minutes of June 28, 2017 as received with Commissioner Lorick-Wilmot abstaining

2. Administration and Finance

- Yearend Budget Summary and Narrative Report: The Final Monthly Budget Summary Report for Fiscal Year 2017 was submitted to the Commissioners for their

review and comments. This concludes the spending for FY2017. DPPC spent 99.99% out of 100% of its budget with \$460 reverted back to the general fund.

- Monthly Budget Summary and Narrative Report August 2017: The August Monthly Budget Summary Report along with a narrative was submitted to the Commissioners for their review. DPPC is on budget and has expended 13% of 17% of the budget through the second month of the fiscal year. DPPC doesn't anticipate any issues at the moment.
- FY2018 Appropriation and Spending Plan: DPPC received the Governor's recommendation, maintenance funding for FY2018, instead of either the House or Senate budget number, which were both higher. Given the Bargaining Unit contract has not been ratified, the Governor's Recommendation does not include the cost of any increases associated with ratifying the Bargaining Unit contract. If the Bargaining Unit contract is ratified, DPPC was notified that a supplemental budget would be provided to offset any increase. DPPC's Spending Plan, which outlines spending for the upcoming fiscal year, is due to ANF by September 7, 2017.

### 3. ACES – Final Review

ACES – Final Review: Managers are reviewed on the federal fiscal year which runs from October 1<sup>st</sup> to September 30<sup>th</sup>. At the last Commissioners meeting, ACES applicable Progress Stage forms were presented to the Commissioners for review and signature. The final review is due between October 2 and October 27, 2017. As the next Commissioners meeting is scheduled for November, the Chairperson will complete, review and approve the ratings via a separate meeting with the Executive Director. Executive Director Alterio will work on the final reviews and provide a draft to Chairperson Brett for approval and signature.

### 4. Legislative Updates

- 19C Amendment and Financial Exploitation Testimony: The bill, drafted by the DPPC, and filed concurrently in the Senate and House as S.52 and H.1958, was heard on July 31<sup>st</sup>. The DPPC is very appreciative of the efforts of its sponsors, Senator John Keenan and Representative Sean Garballey, as well as the seventy five (75) legislators who co-sponsored the bill. General Counsel Westwater attended the hearing on July 31<sup>st</sup> and provided oral and written testimony in support of amending DPPC's enabling statute. Testimony was also provided on Bill 76 in support of expanding DPPC's jurisdiction to conduct financial abuse investigations, however funding would be necessary. Senator Keenan and a self-advocate attended and testified on behalf of S.52. Representative Kay Khan, House Chair of Children, Families and Persons with Disabilities appeared supportive of the testimony. The Commissioners were provided with a copy of the written testimony.
- Registry Bill: There are three bills pending on the abuse registry. Family members provided compelling testimony in support of the legislation. DPPC did not testify on the bills. DPPC has been and will continue to work with Arc of MA and DDS on the effectiveness of the legislation. DPPC's recommended amendments were provided to the Arc and DDS; both organizations recognized the need and expressed support of the changes. Members of the legislators on the Committee for Children, Families and

Persons with Disabilities that heard the testimony acknowledged that the bill was important but required some changes. DPPC's informed DDS and Arc that the bill should be amended as follows:

- Clarifying DPPC decisions going to the Division of Administrative Law Appeals (DALA) versus DDS Hearing Officer;
- Including DPPC in the definitions;
- Inclusion of people older than 59 years of age;
- Identifying and clarifying timelines of when someone goes on the list, the appeals and process and how long they remain on the list; and
- Removing the last section of the bill as it can be addressed in DPPC policy and not relevant to the registry.

Other issues discussed included:

- Expanding registry to all disabilities versus limiting it to I/DD;
- Creating an internal workgroup to work on regulations and implementation;
- Addressing DPPC backlogs and the need for additional investigators for better quality and more timely investigations;
- Implementing the registry 24 months after the bill's passage; and
- Determining funding needs.

#### 5. Media Updates

A reporter from the Living Section of The Globe is writing a piece on how the Massachusetts APS system works and PCAs not being vetted. The reporter has spoken with various people at DPPC to gather information including Assistant General Counsel, Deputy Executive Director, SPDU Sergeant and Intake/Oversight Manager.

#### 6. Strategic Planning

DPPC will hold its annual mandatory all-staff Strategic Planning meeting on Thursday, September 14, 2017. The meeting provides an opportunity for staff to reflect on the accomplishments of FFY2017 and establish goals and objectives for FFY2018. An overarching focus for FFY2018 will be on incorporating the newly formed Sexual Assault Response Unit (SARU) into DPPC's daily operations.

#### 7. SARU Implementation

SARU funding started on July 1, 2017. DPPC has hired all seven SARU positions. These include the Director, Protective Service Navigator Supervisor (PSNS), two Protective Services Navigators, Peer Support Coordinator and two Peer Support Persons. Copies of the resumes were distributed to the Commissioners for review. DPPC/SARU has a meeting with MOVA next week to discuss announcing the grant. DPPC ANF Director is working with DPPC building management to secure SARU office space within the building. Executive Director Alterio would like to introduce the SARU staff to the Commissioners at the next meeting in November. DPH Leadership is coming to DPPC for a meet and greet session with SARU on November 17<sup>th</sup>. Interface at William James College has been selected as the vendor agency who will be utilized to provide intake, screening, assessment, placement, follow-up and case consultation to match sexual assault victims with disabilities to appropriate therapist statewide. William James

College focuses on advanced degrees in social work, psychiatry, psychology and work with underserved populations.

## 8. ACL Updates

- Learning Collaborative: Four regional, in person Learning Collaborative sessions are scheduled during the month of September 2017 as detailed below. The four regional discussion sessions are being hosted by DDS in each of the four regions. Participation at each regional Learning Collaborative is limited to approximately 20-25 people per region. Clinical Services Director at Riverside Trauma Center and SARU Director will moderate the lunchtime multidisciplinary discussions.
  - September 19, 2017 from 10:00-12:00 – Northeast, Danvers DDS Office
  - September 21, 2017 from 11:30-1:30 – Central/West, Springfield DDS Office
  - September 26, 2017 from 11:30-1:30 – Southeast, Plymouth DDS Office
  - September 28, 2017 from 11:30-1:30 – Metro Boston, BARCC, Cambridge
- Webinar on RCC Guidelines – September 13: The Guidelines for Rape Crisis Centers (RCC) were finalized and distributed statewide. A Webinar will be held on September 13<sup>th</sup> to continue training on the contents of the Guide. The webinar will be recorded and disseminated for folks to view who were unable to participate in the live event. The webinar is intended for the partner agencies included in the ACL project such as RCC, DDS, A&A, DPPC and other agency staff.
- ACL Grant Close Out: The project funding concludes September 30<sup>th</sup>. DPPC will follow up with a final report by the close of the calendar year as required.
- ACL Grant Application – *Inroads to Interventions*: DPPC applied for additional ACL grant funding to evaluate the effectiveness of the SARU as well as to increase staffing to enable SARU to provide services statewide. There is a lot of competition for this federal funding and therefore a long shot to obtain. Currently SARU is only in two of the five regions – Southeast and Central. The Commissioners received a copy of the ACL grant application including a copy of the organizational chart.

## 9. Building Partnerships Initiative Updates

Statewide Conference November 1<sup>st</sup>: BPI is hosting a statewide training on November 1<sup>st</sup> in Holyoke in partnership with Hampden District Attorney and the Massachusetts District Attorneys Association. Keynote speaker James W. Hopper, Ph.D., Clinical Psychologist and Independent Consultant, Teaching Associate in Psychology, Harvard Medical School will present on the effects of trauma on the brain. The conference will also include topics on interviewing, competency, consent, testifying and case scenarios.

## 10. NAPSA

- Conference: The 2017 National NAPSA Conference took place August 28-30, 2017 in Milwaukee, WI. Patty Quatieri, self-advocate survivor and SARU Peer Support person received a national award for her work in the sexual abuse and the disability field. DPPC conducted five workshops on the following topics:
  - *Mortality Review Team* – Nancy Alterio

- *APS Registries Across the Country: The Results of the NAPSA Abuse Registry Ad Hoc Committee Project* - Nancy Alterio, Mariah Freark
  - *Improving Outcomes of Sexual Assault Victims with Disabilities: The Massachusetts ACL Project* - Nancy Alterio, Mariah Freark, Jeni Prater, Patty Quatieri, Susan Vickers
  - *Allies in the Good Fight - Massachusetts' Practices for the Identification, Report and Investigation of Abuse Committed Against Persons with Disabilities* – Elizabeth Dunphy Farris, Sergeant Tim Grant, David Viens
  - *Awareness and Action* – Pauline Bosma, Jennifer Edwards-Hawkins, Anne Monti, Susan Moriarty
- APS Abuse Registry Study and Findings: The NAPSA Ad-Hoc Abuse Registry Committee collected data from across the country on abuse registries. Surveys were sent out to the approximate 20 states that identified as having a registry. Follow-up phone interviews were conducted for states that completed the online survey to gather even more detail. The Committee is deciphering through the collected data and drafting a report to highlight the committee's findings. The draft report is scheduled for completion late December.

11. Quarterly and Monthly Reports : The Commissioners received copies of the following reports:

- **Hotline Activity Report – June 2017 and August 2017:** The Hotline Activity Reports for the months of **June** and **August 2017** were distributed and reviewed. There was a 9.5% increase in abuse reports in FY2017 and 10% increase in FY2016, resulting in a 20% increase over two years. The Commission received **1,033** abuse reports during the month of **June 2017** and **979** during **August 2017**. In addition to the abuse reports, the Hotline received **474** information and referral calls and **71** death reports, a combined total of **1,578** calls to the Hotline in **June 2017**. The Hotline received **542** information and referral calls and **79** death reports, a combined total of **1,600** calls to the Hotline in **August 2017**.
- **Oversight Activity Report – June 2017 and August 2017:** The Oversight Activity Report for the month of **June** and **August 2017** were distributed. The report tracks cases per oversight officer, cases pending 19C reports, cases with 19C reports, deferred cases, 19C reports received, protective service plans received, initial reports received and notices to abusers. Within the month of **June** - **198** cases were closed in comparison to **242** cases being assigned. At the close of the month, there were **736** active oversight cases and **399** overdue investigation reports. Within the month of **August** - **271** cases were closed in comparison to **222** cases being assigned. At the close of the month, there were **777** active oversight cases and **449** overdue investigation reports.
- **Legal Activity Report – June 2017 and August 2017:** The legal activity report tracks guardianship petitions filed, court appearances, petitions received and completed, records requests/demands completed and referrals to other agencies/boards. The Legal Activity Report for **June** and **August 2017** were distributed. The Legal Unit received **9** petitions and completed **16** petitions and **60** records requests during the month of **June**. DPPC Legal Unit completed **154** Petitions and processed **713** records requests/demands during fiscal year 2017. The

Legal Unit received **8** petitions and completed **10** petitions and **42** records requests during the month of **August**. To date, DPPC Legal Unit has completed **23** Petitions and processed **58** records requests/demands during fiscal year 2018. There are **67** Petitions pending review.

12. Future Agenda Topics

The following topics will be addressed at upcoming Commissioners' meetings scheduled for November/December:

- Meet and Greet Advisory Council
- SARU Overview
- Strategic Plan

13. New Business

No new business was discussed.

14. Adjournment

**MOTION:** Commissioner Medoff motioned to adjourn the meeting at 5:46 p.m., Chairperson Brett seconded.

**VOTE:** Unanimous to adjourn the meeting at 5:46 p.m.